

## **REMARKS**

[0006] Applicant respectfully requests entry of the following remarks and reconsideration of the subject application. Applicant respectfully requests entry of the amendments herein. The remarks and amendments should be entered under 37 CFR. § 1.116 as they place the application in better form for appeal, or for resolution on the merits.

[0007] Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 1, 3-16, 18-31 and 33-42 are presently pending. Claims 1, 5, 16 and 33 are amended herein. No claims are withdrawn or cancelled herein. No new claims are added herein.

### **Formal Request for an Interview**

[0008] If the Examiner's reply to this communication is anything other than allowance of all pending claims, then I formally request an interview with the Examiner. I encourage the Examiner to call me—the undersigned representative for the Applicant—so that we can discuss this matter so as to resolve any outstanding issues quickly and efficiently over the phone.

[0009] Please contact me to schedule a date and time for a telephone interview that is most convenient for both of us. While email works great for me, I welcome your call as well. My contact information may be found on the last page of this response.

### **37 CFR 1.132 Declaration regarding Attribution**

[0010] Applicant herewith submits a declaration under 37 CFR 1.132, signed by each inventor of this patent application, establishing that the subject matter cited in the reference “Presenting C#”, authored by Christoph Wille, © 2000, should be properly attributed to the inventors of this application under MPEP § 716.10, and accordingly, is not applicable as a valid reference to reject the pending claims..

[0011] Therefore, Applicant respectfully requests that the reference, “Presenting C#”, be removed. Applicant further asserts that the claims are allowable and requests that the application be passed along to issuance.

### **Claim Amendments**

[0012] Without conceding the propriety of the rejections herein and in the interest of expediting prosecution, Applicant amends claims 1, 5, 16 and 33 herein. Applicant amends claims to clarify claimed features. Such amendments are made to expedite prosecution and to more quickly identify allowable subject matter. Such amendments are merely intended to highlight the claimed features, and should not be construed as further limiting the claimed invention in response to the cited references.

## **Formal Matters**

### **Claims**

[0013] The Examiner objects to claims 1 and 3-15 for minor informalities. Herein, Applicant amends these claims, as shown above, to address the objection made by the Examiner, and to expedite prosecution.

## **Substantive Matters**

### **Claim Rejections under § 112 1<sup>ST</sup> ¶**

[0014] Claims 5-16, 18-27 and 42 are rejected under 35 U.S.C. § 112, 1<sup>st</sup> ¶. Applicant respectfully traverses this rejection. Furthermore, in light of the amendments presented herein, Applicant submits that this rejection is moot. Accordingly, Applicant asks the Examiner to withdraw this rejection.

### **Claim Rejections under §103**

[0015] Claims 1, 3-16, 18-31 and 33-42 are rejected under 35 U.S.C. § 103. In light of the disqualification of the reference, the amendments presented herein, and the discussion during the above-mentioned Examiner interview, Applicant submits that these rejections are moot, and that the pending claims should be passed to allowance. Accordingly, the Applicant respectfully asks the Examiner to withdraw the rejections of these claims.

## Conclusion

[0016] All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the **Examiner is urged to contact me before issuing a subsequent Action.** Please call or email me at your convenience.

Respectfully Submitted,

Lee & Hayes, PLLC  
Representatives for Applicant

\_\_\_\_\_/Jacob Rohwer 61,229/\_\_\_\_\_  
Dated: \_\_\_\_12/9/2008\_\_\_\_

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